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June 24, 2020

**BY ECF**

Honorable Sanket J. Bulsara  
United States Magistrate Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

Re: *Vasicka, et al. v. Kerwin, et al.*, 18 CV 6858 (RPK) (SJB)

Your Honor:

I represent plaintiffs in the above referenced matter. I write jointly with defendants to respectfully request: 1) a ninety-day extension of the existing discovery schedule; and 2) adjournment of the settlement conference until after the close of fact discovery.

By status report dated February 28, 2020 plaintiff and defendant Kerwin jointly proposed a discovery schedule by which fact discovery was to be completed by June 29, 2020 and all discovery completed by August 28, 2020. *See* DE #32. By order dated March 1, 2020, the Court adopted the proposal and adjourned the previously-scheduled settlement conference to August 4, 2020.

If it should please the Court, the parties' February 28<sup>th</sup> letter was filed before the extent of the disruption that the COVID-19 pandemic would cause was apparent. As a result of those disruptions, which are only now subsiding, the parties have been unable to conduct depositions. The parties have conferred and, subject to the Court's approval, tentatively scheduled fact depositions to take place remotely in the second half of August. The instant application is intended to permit those depositions to proceed and to account for the possibility of unexpected scheduling issues.

Hon. Sanket J. Bulsara  
June 24, 2020

Accordingly, the parties respectfully propose the following revised discovery schedule for the Court's review and endorsement:

Fact discovery to be completed by:	September 28, 2020
Exchange of expert reports by:	October 28, 2020
Expert depositions and all discovery completed by:	November 27, 2020
Deadline to initiate dispositive motions:	December 28, 2020

The parties have also discussed the scheduling of the settlement conference and believe that it would be most beneficial to schedule that proceeding to take place after the close of fact discovery.

In light of the foregoing, the parties respectfully request that: 1) the Court review and endorse the proposed revised discovery schedule; and 2) adjourn the settlement conference scheduled for August 4<sup>th</sup> to a date and time convenient to the Court after September 28<sup>th</sup>.

Thank you for your consideration of this request.

Respectfully submitted,

  
Gabriel P. Harvis

cc: All Counsel